1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NELSON LLAVATA,   )
)
                          Plaintiff,   )   Case No. 2:11-cv-00250-GMN-CWH
)
vs.   )   **ORDER**
)
COLE MORROW, *et al*.,   )
)
                          Defendants.   )
_____)

This matter is before the Court on Plaintiff's Motion for Court Order (#69), filed September 28, 2012, and Defendants' Response (#70), filed October 10, 2012. The Court will also consider Plaintiff's Motion to Compel (#71), filed October 12, 2012, and Defendant's Response (#73), filed October 17, 2012.

1. Plaintiff's Motion (#69)

By way of this motion, Plaintiff requests that the Court issue an order requiring the release of specified pages of his prison medical records. This appears to be a discovery request. Pursuant to Local Rule 26-7, discovery motions should set forth the text of the discovery originally sought and any response thereto. *See* LR 26-7(a). It does not appear that Plaintiff has made any formal effort to obtain the discovery he seeks other than to simply request that the Court order it produced. The Court will not order production of records absent an underlying discovery request or formal request made pursuant to prison regulations.

2. Plaintiff's Motion to Compel (#71)

Plaintiff's motion (#71) also fails because Plaintiff did not comply with the requirements of LR 26-7(a). Plaintiff has not attached, or included within the motion, the text of the discovery

1   originally sought or responses thereto. Moreover, it appears the issue is moot as Defendants'

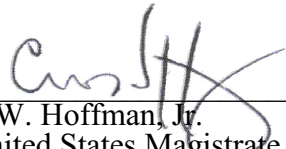2   counsel represents that responses to the discovery have been served.

3   Based on the foregoing and good cause appearing therefore,

4   **IT IS HEREBY ORDERED** that Plaintiff's Motion for Court Order (#69) is **denied**.

5   **IT IS FURTHER ORDERED** that Plaintiff's Motion to Compel (#71) is **denied**.

6   **IT IS FURTHER ORDERED** that Plaintiff's Motion for Decision is **denied as moot**.

7   DATED this 22nd day of October, 2012.

_____

C.W. Hoffman, Jr.
United States Magistrate Judge